

REMARKS

Attorney for applicant has carefully reviewed the cited patents, and recognizes that the citations are pertinent, but do not show the essence of the invention, which is a relatively inexpensive and extremely effective way to clear an area of mosquitoes, midges, and other annoying insects. Rather than needing to use copious amounts of insect spray (most of which will simply blow away), the present invention, as now expressed in the claims of record, places an insect repellent (typically an inexpensive mosquito coil) into a container with a fan and then blows the smoke through a perforated hose which can be laid around the area to be protected to keep the mosquitoes away. A hand sketch of this arrangement is shown as attached Exhibit A.

Consequently, a "wall" of smoke can be constantly generated around the area and, since the mosquito coil can last for quite a long time, this arrangement provides an extremely effective insect deterrent.

While it is true that the cited patents show many of the individual features of the present invention, none of the citations disclose the advantage of having a perforated hose which is perforated along its length (but not necessarily entirely along its length), and where the hose can be laid around a particular outdoor area and then connected to the "smoke box" (emphasis added).

Calino and Watson describe devices that can generate a vapor and which pass the vapor through a non-perforated hose. The Watson citation is directed to some form of in-car arrangement, and while a flexible hose is described, the hose is not perforated along its length to provide multiple outlets along the length of the hose. Instead, the hose only contains an outlet on the end (Figure 4). Therefore, if the Watson device was taken out of the car and placed in an outdoor area and if a mosquito coil was placed in the Watson device, the device would be relatively ineffective as the smoke would only pass through the open end of the flexible hose (Figure 4). Also, there is nothing in the Watson patent that

describes any alternative use or advantage of the device and there does not appear to be any teaching in the Watson patent that the car device could be taken out and modified and used in an outdoor situation as an insect deterrent.

Attorney for applicant finds it difficult to believe that any person trying to develop a device that could provide an insect repelling smoke or vapor, or something similar, which would be effective over a large area would (a) consider investigating in car devices, and (b) modifying any in car device in the manner covered by the amended claims of the present invention.

Calino describes an automatic air freshening system which has an exit hose 100 which is placed into the existing air-conditioning vent of a vehicle. There would be little to gain in this patent to perforate the hose along its length. There is no suggestion or teaching in this patent to do so, and perforating the hose along its length, "teaches away" from the ultimate outcome, which is to place the air freshening vapors into the existing air-conditioning vents of a vehicle.

Combining these citations, or cited patents, would allow a person to consider alternatives to freshening up a vehicle, but the combination (assuming such to be feasible) would still not teach the invention which is now better particularized in the amended patent claims presently of record.

Independent claim 1, and dependent claims 4-7, 11-19, and 21, are directed to the apparatus for distributing smoke/gas vapors through a length of perforated hose. Independent method claim 22 expresses the relationships among the components of applicant's device in a different manner.

Turning now to the claims, attorney for applicant has added further restrictions to claim 1 regarding a perforated hose, and to add some clarity, attorney for applicant has revised "an enclosure" to read "a main enclosure" as further claims define a second separate enclosure. The term "main enclosure" is identical to the original term "an enclosure".

New claim 21 defines the length of the hose (in feet), and support for this dimension (in meters), can be found at the bottom of page 2 of the original PCT application on which the U.S. application has been based.

In the remaining claims, attorney for applicant has amplified the relationship expressed broadly in claim 1.

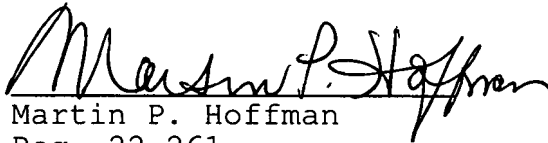
Attorney has added a single method claim (i.e., claim 22).

The Examiner's indication that dependent claims 18 and 19, were patentable in content, is noted and appreciated. Independent claim 1 has been revised, to emphasize the use of a perforated hose. Claims 18 and 19 are believed to be allowable, without further revision. The same holds true for claim 10, which was also indicated to be allowable in content.

Claims 1, 4-7, 11-19, and 21-22, express applicant's invention in clear and concise terms that distinguish in patentable aspects from the prior art patents cited by the Examiner. Consequently, the instant Amendment should be viewed favorably, and the application should proceed to allowance.

The Examiner is invited to call the attorney for applicant at 703.415.0100, if the Examiner believes that a telephone conference, or a personal interview, will expedite prosecution.

Respectfully submitted,

  
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